

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
09-CR-122A

WILLIAM HOLLEY,

Defendant.

This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(A). On April 19, 2002, defendant William Holley filed an omnibus motion for discovery and a motion seeking an order compelling the production of outstanding discovery materials, as well as other forms of relief, including but not limited to, the disclosure of Grand Jury minutes/transcripts, precluding reference to “routine foot care,” dismissal of the Indictment for failure to timely prosecute, and dismissal of the Indictment by reason of duplicative counts in the Indictment.

On July 23, 2010, Magistrate Judge Schroeder filed a Decision and Order, denying defendant's motions. On August 3, 2010, defendant Peter filed objections to the Decision and Order. The government filed a response on August 31, 2010, and the Court heard oral argument on October 14, 2010.

Pursuant to 28 U.S.C. § 636(b)(1)(A), the district court "may reconsider any pretrial matter under this [section] where it has been shown that the magistrate's order is clearly erroneous or contrary to law." The Court has reviewed defendants' objections and Magistrate Judge Schroeder's Decision and Order. Upon such review and after hearing argument from counsel, the Court finds that Magistrate Judge Schroeder's Decision and Order is neither clearly erroneous nor contrary to law.

Accordingly, the Court affirms the Decision and Order.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: November 8, 2010